



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

March 17, 2023

BY ECF & ELECTRONIC MAIL

Hon. Jennifer H. Rearden
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007
ReardenNYSDChambers@nysd.uscourts.gov

Re: *United States et al. v. Voyager Digital Holdings et al.*, No. 23 Civ. 2171 (JHR)
(Bankruptcy Appeal)

Dear Judge Rearden:

I write respectfully on behalf of appellants the United States of America and Justice Department official William K. Harrington, the United States Trustee for Region 2 (together, the “Government”), to request an increase to the word limit for its contemporaneously filed Emergency Motion for a Stay of the Bankruptcy Court’s order confirming the Plan in the above-referenced case. Pursuant to Federal Rule of Bankruptcy Procedure 8013(f)(3)(A), the word limit for motions filed in connection with bankruptcy appeals is 5,200 words. The attached motion contains 12,674 words. The reason for the requested increase is that the motion seeks a stay of a bankruptcy court order pending appeal, for which the relevant standard requires the movant (here, the Government) to demonstrate it is likely to succeed on the merits of the appeal. *See Nken v. Holder*, 556 U.S. 418, 426 (2009). Because this case has a complex procedural history and presents several important statutory and constitutional arguments, the Government believes it is appropriate to discuss these arguments in this preliminary motion, to permit the Court to decide whether a stay pending appeal is appropriate. Due to the press of time, the Government has not asked the appellees what their position is on this application.

We thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

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cc: All parties (by ECF)